



Fw: park city letter

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Qian Zhang to: Maureen O'Reilly, Dana Allen, Stephanie Gieck,
Darcy O'Connor, Amy Swanson

10/13/2010 10:32 AM

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FYI.

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Environmental Quality

Amanda Smith
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

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OCT 07 2010

Wastewater

October 5, 2010

Thomas A. Daley, Sr.
Deputy City Attorney
Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah 84060

Subject: Park City Application for a UPDES Permit, Judge Tunnel, Spiro Tunnel, and
Prospector Drain

Dear Mr. Daley:

Thank you for meeting with us on September 8, 2010 to discuss UPDES permitting issues relative to the Judge Tunnel, Spiro Tunnel, and Prospector Drain. Our discussion included numerous topics related to the issuance of a UPDES permit for these mining related discharges. We have outlined the action item topics discussed at that meeting below and offer the accompanying responses to those issues:

- 1) **The UPDES Discharge Permitting Schedule** – Park City has proposed a schedule of December 2011 for submission of a UPDES application. We believe there is a need to expedite the submittal of the UPDES Permit application to continue showing good faith efforts to keep the permitting process moving along. While we understand the desire to complete sampling for a full season of flow conditions, the critical Fall base flow and Spring runoff periods should adequately characterize the important flow variables. If necessary, monitoring could continue after that date to better define any unresolved quality issues, or for other purposes particular to Park City. As such, we feel that an adequate sampling period, for permit application purposes, would need only to include the period between now and next Spring. An adequate permit application could then be produced with that data, allowing Park City to submit the application to UDWQ no later than August 1, 2011. If continued sampling showed *further changes were needed, the application and/or permit could be modified during the permit development process.*

Submission of Park City's UPDES application on 8-1-2011 would allow the following time schedule for permit issuance:

8-1-11	DWQ receipt of complete UPDES application
12-1-11	Draft permit routed to Park City for review
1-15-12	Final Draft permit public notice period starts
2-14-12	Public notice period ends
3-15-12	Response to any comments and permit issuance

While there may be issues that develop during the permit development process requiring modification to this schedule, UDWQ believes this should be our target, unless significant issues arise.

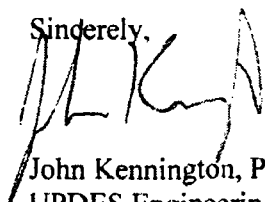
- 2) **Division of Drinking Water update** – As requested, we have briefed Rachael Cassidy of the Division of Drinking Water (UDDW) on the meeting discussions. She will be invited to any future meetings to ensure optimal coordination with the Division of Drinking Water.
- 3) **Whole Effluent Toxicity Testing (WET)** – The question was brought up regarding the dilution ratio to be used for WET testing. The range of dilutions used for WET testing should include a 100% discharge water concentration from the Judge and Spiro Tunnels, since the discharge could constitute the entire headwaters of Silver Creek and McLeod Creek during certain times of the year. We also recommend the WET should be done with multi-dilutions for acute toxicity for the Judge Tunnel since we do not know at this time where the discharges may commingle with the creeks' base flows. When using the multi-dilutions for WET with the creeks, the 7Q10 number should be used. We also recommend the 48-hour static replacement toxicity test using Ceriodaphnia dubia (water flea) and the acute 96-hour static replacement toxicity test be used with Pimephales promelas (fathead minnow).
- 4) **Site Specific Standards** – As you are aware there are no site specific standards for Silver or McLeod Creeks at this time. However, the Water Quality Board may allow site specific modifications based upon local conditions. As each proposal to adopt site specific standards is somewhat unique, we don't have rules which address the exact process to develop such standards. We do have rules on how to adopt the standards, once they are developed and proposed. The process to develop a site specific standard proposal is decided upon by staff of the Division, depending upon the specific sampling, parameters and studies needed.

Mr. Thomas A. Daley
October 5, 2010
Page 3 of 3

- 5) **Stream Sampling Data** – We have checked and determined that we previously sent all of the available direct stream sampling data, that was discussed at the last meeting, to Brown & Caldwell. Attached are all of the STORET data base numbers for data at locations that we think would apply to this project. The new AWQMS web-based EPA database, which will supersede STORET, should be available within several weeks.

Thank you for the continued progress in working with the Utah Division of Water Quality to obtain the Utah Pollutant Discharge Elimination permits for the discharges associated with the past mining activities in Park City. If you have any questions regarding this letter and the permitting process, please contact Mark Schmitz, at Mschmitz@utah.gov, or call Mark at (801) 536-4384.

Sincerely,



John Kennington, P.E., Manager
UPDES Engineering Section

JK/MS/mf

attachment

cc: Summit County Health Department
Stephanie Gieck, EPA Region 8
Qian Zhang, EPA Region 8

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